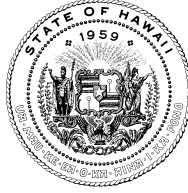


HB2202 HD1

Measure Title:	RELATING TO CEMETERIES
Report Title:	Cemetery Authority Exemption; Churches; Exempted Entities
Description:	Clarifies that churches granted an exemption from the state laws governing cemeteries and funeral trusts are exempt from all requirements. Allows the director of commerce and consumer affairs to impose any statutory requirement upon an exempt cemetery authority by order. Clarifies that an entity exempt as a church under federal tax law is considered a church for purposes of exemption. Effective 7/1/2050. (HD1)
Companion:	SB3130 and Similar to SB2881
Package:	None
Current Referral:	CPH
Introducer(s):	ELI, CULLEN, OKIMOTO, McDermott



DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

335 MERCHANT STREET, ROOM 310

P.O. BOX 541

HONOLULU, HAWAII 96809

Phone Number: 586-2850

Fax Number: 586-2856

cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Commerce, Consumer Protection, and Health
Tuesday, June 23, 2020
10:15 a.m.
State Capitol, Conference Room 229**

On the following measure:

H.B. 2202, H.D. 1, Proposed S.D. 1, RELATING TO CEMETERIES

WRITTEN TESTIMONY ONLY

Chair Baker and Members of the Committee:

My name is Charlene Tamanaha, and I am the Licensing Administrator of the Department of Commerce and Consumer Affairs' (Department) Professional and Vocational Licensing Division. The Department supports this bill.

The purposes of this bill are to clarify that: (1) churches granted an exemption under Hawaii Revised Statutes (HRS) section 441-22.1 are exempt from all requirements of HRS chapter 441; (2) other exempted entities shall comply with any provision of HRS chapter 441 upon order of the Department's director; and (3) an entity exempt as a church under federal tax law is considered a church for purposes of exemption.

Act 14, Session Laws of Hawaii 1968, authorized the then-Cemetery Board to exempt any cemetery authority from the bonding and fee requirements for license, renewal, and reinstatement if it did not actively engage in pre-need sales, have a

licensed cemetery salesperson, or sell for financial profit. Since 1968, exempt cemetery authorities have not been regulated and have been treated as exempt from HRS chapter 441 requirements. Exempt cemetery authorities provide burials to their community based upon goodwill, rather than operate the cemetery as a business, and would therefore have difficulty complying with HRS chapter 441.

In codifying the current practice of the Department's Cemetery and Funeral Trusts Program (Program), this bill will help the Program become more efficient in overseeing cemeteries and provide clarity for exempt entities regarding the requirements of HRS chapter 441. In addition, churches and other non-profit exempt cemetery authorities will continue to be responsible for maintaining and caring for their cemeteries.

Thank you for the opportunity to testify on this bill.



Hawaii Funeral & Cemetery Association, Inc.
1330 Maunakea Street, Honolulu, Hawaii 96817

Written Testimony in **Opposition** of
HB 2202 HD1 Proposed SD1

June 19, 2020

To: Senator Rosalyn Baker – Chair- Committee on Commerce, Consumer Protection and Health
Senator Stanley Chang, Vice Chair- Committee on Commerce, Consumer Protection and Health
Committee Members

HEARING DATE/TIME: June 23rd 2020, 10:15am Rm #229

Dear Chair Baker, Vice Chair Chang and Committee Members

Please accept this testimony from the Board of Directors of the Hawaii Funeral and Cemetery Association, Inc. (“HFCA”). The HFCA represents the Funeral & Cemetery establishments in the State of Hawaii. We respectfully submit testimony in **Opposition** to HB 2202 HD1 Proposed SD1 (‘Bill’) “Relating to Cemetery Authority Exception” as it is currently written for the following reasons.

In the event a church or nonprofit is actively selling cemetery interment rights to any individual for below or above ground burial; or for cremation below ground or above ground inurnment in a columbarium; and providing a guarantee of “**Perpetual Care**” maintenance; the church or non-profit should be required to maintain a perpetual care fund and that fund should be audited annually under HRS 441; Section 441-24.5 and 441-24.6 to ensure there are adequate funds in the perpetual care to provide ongoing maintenance. Protection for the consumer should be consistent for a profit or a non-profit.

The HFCA believes the only way to ensure responsible maintenance of a cemetery is through the regulations that currently exist under HRS441-24.5 & 441-24.6.

In addition the HFCA has concerns churches will offer cemetery merchandise and services to its members on pre-need installments and they would be exempt under HRS441-24.5 & 441-24.6 trusting requirements and all the additional regulation associated with a pre-need cemetery authority.

The **HFCA does support** a church or non-profit the opportunity to provide cemetery memorialization to their members, but we do feel there needs to be regulation protecting the consumer. The **HFCA would support** an amendment to bill HB 2202 HD1 Proposed SD1 that would require a church or non-profit to maintain a perpetual care fund under HRS441-24.6 and if they do offer pre-need purchases on monthly installments they should be regulated under HRS441-24.5 & 441-24.6 trusting requirements.

441-24.5

Pre-need trusts and perpetual care funds; audited financial statements

§441-24.5 Pre-need trusts and perpetual care funds; audited financial statements. *Every cemetery authority operating a perpetual care cemetery or which engages in pre-need sales or holds money in trust for pre-need interment services, and every pre-need funeral authority which engages in pre-need sales or holds money in trust for pre-need funeral services shall submit an audited financial statement of its pre-need trusts and perpetual care funds to the director within ninety days after the close of the authority's books on a fiscal or calendar year basis.*

441-24.6

Pre-need trusts and perpetual care funds; actuarial studies**[§441-24.6] Pre-need trusts and perpetual care funds; actuarial studies.**

(a) Every cemetery authority operating a perpetual care cemetery and every cemetery or pre-need funeral authority offering pre-need services shall contract with an independent actuary to conduct an annual study of its level of funding. In the case of a perpetual care cemetery, the study shall be to determine whether the authority's perpetual care fund will provide sufficient income to cover the costs of the perpetual care of the cemetery. In the case of a cemetery or pre-need funeral authority, the study shall be to determine whether the authority's pre-need trust will be sufficient to cover the claims of pre-need plan participants.

(b) The actuarial study shall be submitted to the director within one hundred twenty days after the close of the authority's books for the fiscal or calendar year. At a minimum, such study shall detail the assets and liabilities of the fund or trust, the actuarial assumptions used in preparing the report and the actuary's conclusions as to whether the levels of funding are adequate. If the actuary concludes that the funding is not adequate, the actuary shall recommend what actions are necessary to protect the perpetual care fund or pre-need trust participants.

(c) If the study concludes that the levels of funding are not adequate or that the interests of the participants in the perpetual care fund or pre-need trusts are in any other respect not adequately protected, the director may require that a greater portion of the income be transferred to the fund or trust or may take such other action as is necessary to correct any inadequacies or may suspend the authority's right to accept further participants in the fund or trust.

If requested by the authority, a hearing on the action taken by the director shall be conducted pursuant to chapter 91.

The HFCA respectfully requests that the Committee defer HB 2202 HD1 Proposed SD1 at this time.

Thank you for the opportunity to submit testimony on this bill.

Mitchell Dodo – Vice President & Legislative Committee (“HFCA”)



The Episcopal Diocese of Hawai'i

The Right Reverend Robert L. Fitzpatrick
Bishop

Name: The Rt. Rev. Robert L. Fitzpatrick
Occupation: Bishop of the Episcopal Diocese of Hawai'i

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection, and Health.

As the Bishop of the Episcopal Diocese of Hawai'i, I am writing in support of HB2202 HD1. My Diocese consists of 38 worshipping congregations on five islands. Some date back to the founding of our Church by King Kamehameha IV and Queen Emma in 1962.

Our churches have grave yards, columbariums and memorial gardens. Some of the cemeteries date back to early years of the Church in the Islands and the original land grants from the Ali'i (for example, Holy Innocents Church's cemetery on Waine'e Street in Lahaina; St. Augustine's Church, Kapa'au; and Christ Church, Kealakekua). Others have built columbariums in more recent years (for example, Holy Nativity Church, 'Āina Haina; St. Michael and All Angels' Church, Līhu'e; and Trinity by-the-Sea Church, Kihei).

These final resting places provide for our families the confidence that their ancestors' remains are cared for in the environment of their faith and within the confines of the home church they so dearly loved

The passage of HD 2202 HD1 would be a blessing to the members of the Episcopal Church and to the hundreds of other local families who wish to rest in their spiritual home that has brought them much joy, peace and strength throughout their lives.

I urge your swift and positive action on this legislation.



HOSOI GARDEN MORTUARY, INC.

30 North Kukui Street Honolulu, Hawaii 96817 Tel: (808) 538-3877 Fax: (808) 533-4981

Written Testimony in Opposition of HB222 HD1 Proposed SD1

June 22, 2020

To: Senator Rosalyn Baker, Chair Committee on Commerce, Consumer Protection and Health;
Senator Stanley Chang, Vice Chair and Committee Members

Hearing Date June 23, 2020 10:15 a.m. Room #229

Dear Chair Baker, Vice Chair Chang and Committee Members

My name is Clifford Hosoi, President of Hosoi Garden Mortuary, Inc. I respectfully submit testimony in Opposition to HB2202 HD1 Proposed SD1 relating to Cemetery Authority Exception.

The regulations that currently exist under HRS441-24.5 & 441-24.6 is present to protect the public to insure monies are available to maintain and repair columbariums to ensure its use and longevity. To begin to exempt organizations from these requirements is a serious matter that should be accompanied with oversight before such blanket authorizations are granted. I therefore oppose the bill in its current form.



Resurrection of the Lord Catholic Church

94-1260 Lumikula Street, Waipahu, HI 96797

Phone: 808.676.4700

Fax: 808.676.4534

www.resurrectionhawaii.org

June 20, 2020

Senator Rosalyn H. Baker, Chair

Senate Committee on Commerce, Consumer Protection, and Health

RE: Support for HB 2202 HD1

Dear Chair Baker, Vice Chair Chang and Honorable Members:

Please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

The exemption outlined in this measure is based on our desire and commitment to care for the spiritual needs of the local communities we serve and their families. The primary goal is to provide a continuum of spiritual care for our parishioners, even after death, that does not create a financial burden for our local families at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This will benefit all of Hawaii's registered faith-based non-profits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language, as currently written within the statute, is vague and has not resulted in the churches' ability to provide this much needed service to our members. The proposed language in HB2202 HD1 clarifies that this was meant to include churches and will provide a bright line and safe harbor to provide this service at a much needed time for our local communities seeking relief from the burdensome costs of burial costs for their 'ohana.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely in the Lord,

Rev. William J. Kunisch II

Pastor



ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII
DIOCESE OF HONOLULU
WITNESS TO JESUS

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

June 20, 2020

Dear Chair Baker, Vice Chair Chang and Honorable Members,

Please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This will benefit all of Hawaii's registered faith-based non-profits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently written within the statute is vague and has not resulted in the churches' ability to provide this much needed service to our members. The proposed language in HB2202 HD1 clarifies that this was meant to include churches and will provide a bright line and safe harbor to provide this service at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,

Most Reverend Larry Silva
Bishop of Honolulu

O-182



MILILANI GROUP, INC.

POSITION STATEMENT FROM

MILILANI GROUP, INC. d.b.a. MILILANI MEMORIAL PARK & MORTUARY

SUBJECT: HOUSE BILL 2202, HD1 Proposed SD1 "A Bill Relating to Cemetery Authority Exception"

HEARING DATE: Tuesday, June 23, 2020; 10:15 A.M.

This statement is made on behalf of Mililani Group, Inc., a company who is doing business as Mililani Memorial Park and Mortuary (hereafter called "Mililani").

We **OPPOSE** the proposed changes to "Relating to Cemetery Authority Exception" which extends the ability to church and other non profits to provide cemetery memorialization to its members. However, given the inclusion of provisions which would require that these groups **PROPERLY COMPLY WITH EXISTING LAWS THAT OFFER ADEQUATE CONSUMER PROTECTION**, we would withdraw our opposition.

Mililani has been engaged in the business of selling funeral service plans and cemetery property for more than 45 years and during this period of time, has been able to deliver the contracted for services in a professional and highly competent manner.

The current statutory provisions mandate that both an audited statement and an actuarial report be filed annually with the Department of Commerce and Consumer Affairs for both the Perpetual Care Trust and the Pre-Need Funeral Trust. The audited statement verifies that the requisite deposits have been made to the trust. The actuarial statement validates that the amounts entrusted are sufficient to provide for the benefits that have been contracted. Mililani has diligently and timely complied with all audit and actuarial requirements of the Trust Laws of the State of Hawaii. Information offered by these reports provide the consumers with assurances as to the viability of the trust funds.

We strongly contend that there are not sufficient reasons for the exception when the effect of the enactment may result unfunded liabilities which will adversely affect the both the consumer and the church and non profit groups intending to offer services.

FOR THE ABOVE REASONS, Mililani is inopposition of the proposed HOUSE BILL 2202, HD1 Proposed SD1.

RESPECTFULLY SUBMITTED,

REX S. KUWASAKI, President

Downtown

38 S. Kukui St., Honolulu, Hawai'i
96813-2319
Tel. (808) 524-5211
Fax (808) 533-7489

Waipio

P.O. Box 457, Pearl City, Hawai'i
96782-0457
Tel. (808) 677-5631
Fax (808) 677-9267

exec@mdmhi.com
www.mililanigroup.com

Nuuanu Memorial Park
2233 Nuuanu Avenue
Honolulu, Hawaii 96817
Phone (808) 537-5255

June 22, 2020

To: Senator Rosalyn Baker – Chair- Committee on Commerce, Consumer Protection and Health
Senator Stanley Chang, Vice Chair- Committee on Commerce, Consumer Protection and Health
Committee Members

HEARING DATE/TIME: June 23rd 2020, 10:15am Rm #229

Dear Chair Baker, Vice Chair Chang and Committee Members

My name is Alice K. Hahn, President of Nuuanu Memorial Park. I respectfully submit testimony in **Opposition** to HB 2202 HD1 Proposed SD1 ("Bill") "Relating to Cemetery Authority Exception" as it is currently written for the following reasons.

In the event a church or nonprofit is actively selling cemetery interment rights to any individual for below or above ground burial; or for cremation below ground or above ground inurnment in a columbarium; and providing a guarantee of "**Perpetual Care**" maintenance; the church or non-profit should be required to maintain a perpetual care fund and that fund should be audited annually under HRS 441; Section 441-24.5 and 441-24.6 to ensure there are enough funds in the perpetual care fund to provide ongoing maintenance. Protection for the consumer should be no different for profit or a non-profit.

Nuuanu Memorial Park, believes the only way to ensure responsible maintenance of a cemetery is through the regulations that currently exist under HRS441-24.5 & 441-24.6.

In addition Nuuanu Memorial Park, has concerns churches will offer cemetery merchandise and services to its members on pre-need installments and they would be exempt under HRS441-24.5 & 441-24.6 trusting requirements.

Nuuanu Memorial Park does support a church or non-profit the opportunity to provide cemetery memorialization to their members, but we do feel there needs to be regulation protecting the consumer. **Nuuanu Memorial Park would support** an amendment to bill HB 2202 HD1 Proposed SD1 that would require a church or non-profit to maintain a perpetual care fund that is audited annually and if they do sell on a preneed installments they are regulated under HRS441-24.5 & 441-24.6 trusting requirements.

441-24.5

Pre-need trusts and perpetual care funds; audited financial statements

§441-24.5 Pre-need trusts and perpetual care funds; audited financial statements. Every cemetery authority operating a perpetual care cemetery or which engages in pre-need sales or holds money in trust for pre-need interment services, and every pre-need funeral authority which engages in pre-need sales or holds money in trust for pre-need funeral services shall submit an audited financial statement of its pre-need trusts and perpetual care funds to the director within ninety days after the close of the authority's books on a fiscal or calendar year basis.

41-24.6

Pre-need trusts and perpetual care funds; actuarial studies

[§441-24.6] Pre-need trusts and perpetual care funds; actuarial studies.

(a) Every cemetery authority operating a perpetual care cemetery and every cemetery or pre-need funeral authority offering pre-need services shall contract with an independent actuary to conduct an annual study of its level of funding. In the case of a perpetual care cemetery, the study shall be to determine whether the authority's perpetual care fund will provide sufficient income to cover the costs of the perpetual care of the cemetery. In the case of a cemetery or pre-need funeral authority, the study shall be to determine whether the authority's pre-need trust will be sufficient to cover the claims of pre-need plan participants.

(b) The actuarial study shall be submitted to the director within one hundred twenty days after the close of the authority's books for the fiscal or calendar year. At a minimum, such study shall detail the assets and liabilities of the fund or trust, the actuarial assumptions used in preparing the report and the actuary's conclusions as to whether the levels of funding are adequate. If the actuary concludes that the funding is not adequate, the actuary shall recommend what actions are necessary to protect the perpetual care fund or pre-need trust participants.

(c) If the study concludes that the levels of funding are not adequate or that the interests of the participants in the perpetual care fund or pre-need trusts are in any other respect not adequately protected, the director may require that a greater portion of the income be transferred to the fund or trust or may take such other action as is necessary to correct any

Page: Three

inadequacies or may suspend the authority's right to accept further participants in the fund or trust.

If requested by the authority, a hearing on the action taken by the director shall be conducted pursuant to chapter 91.

Nuuanu Memorial Park respectfully requests that the Committee defer HB 2202 GD1 Proposed SDI at this time.

Thank you for the opportunity to submit this testimony on this bill.

Your Truly,



Alice K. Hahn
President



BORTHWICK MORTUARY

1330 Maunakea St. Hon. HI 96817

Written Testimony in Opposition of
HB 2202 HD1 Proposed SD1

June 20, 2020

To: Senator Rosalyn Baker–Chair–Committee on Commerce, Consumer Protection and Health
Senator Stanley Chang, Vice Chair – Committee on Commerce, Consumer Protection and Health
Committee Members

HEARING DATE/TIME: June 23, 2020, 1015am Rm #220

Dear Cahir Baker, Vice Chair Chang and Committee Members

My name is Mel Kalahiki, Location Manager of Borthwick Mortuary member of HFCA in the State of Hawaii. I respectfully submit testimony in **Opposition** to HB 2202 HD1 Proposed SD1 (Bill) “Relation to the Cemetery Authority Exemption” as it is currently written for the following reasons.

In the event a church or nonprofit is actively selling cemetery internment rights to any individual for below or above ground burial, or for cremation below ground or above ground inurnment in a columbarium; and providing a guarantee of “**Perpetual Care**” maintenance; the church or non-profit should be required to maintain a perpetual care fund and that fund should be audited annually under HRS 441; Section 441-24.5 and 441-24.6 to ensure there are enough funds in the perpetual care fund to provide ongoing maintenance. Protection for the consumer should be no different for profit or non-profit.

We believe the only way to ensure responsible maintenance of a cemetery is through the regulations that currently exist under HRS441-24.5 & 441-24.6.

In addition we have concerns churches will offer cemetery merchandise and services to its members on per-need installments and they would be exempt under HRS441-24.5 & 441-24.6 trusting requirements.

We **support** a church or non-profit the opportunity to provide cemetery memorialization to their members, but we do feel there needs to be regulation protection the consumer. We **support** an amendment to bill HB 2202 HD1 Proposed SD1 that would require a church or non-profit to maintain a perpetual care fund that is audited annually and if they do sell on a preneed installment they are regulated under HR441-25.5 & 441-24.6 trusting requirements.

Thank you for the opportunity to submit testimony on this bill

Department of Health
Environmental Management Division
Clean Air Branch
P.O. Box 3378 Hon. Hi. 96801

Director,

This statement is to certify that no changes have been made in the design or operation of the source as proposed in the initial and any subsequent Non-Covered Source Permit application.

Mel Kalahiki
Location Manager Borthwick Mortuary
1330 Maunakea St.
Honolulu, Hawaii 96817

RE: Contract Termination

Dear Mr. Walters;

Please be advised that we would like to cancel our services with HBM / Hawaiian Building Maintenance (“Agreement”) this letter constitutes our written notice of cancellation effective April 1, 2019

Pursuant to HI Rev Stat 481-9.5 Fair trade regulation, Automatic renewal clause, we have fulfilled our contractual obligation. Hawaii Law requires that we be notified in no less than 30 days and no more than 60 days before the date upon which the consumer shall respond to an automatic renewal clause.

We appreciate your attention to this request, thank you for the service you provided.

Sincerely,

Melvin Kalahiki
Location Manager
808-522-5200
melvin.kalahiki@dignitymemorial.com

Dear Connie,

I have a total of 14 pages including this cover, I got your message just to send the first pages but the second and or third pages shows the direct deposits.

I'm so sorry for this delay again, my Dad is 94 in his condition and situation I seriously thought he was going to pass already.

Being the oldest, stuff just get's differred to me.

Sincerely,

Kalahiki, Melvin

HB-2202-HD-1

Submitted on: 6/22/2020 10:41:17 AM

Testimony for CPH on 6/23/2020 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Perreira-Balmores	Testifying for Catholic Diocese of Honolulu	Support	No

Comments:

I support this bill for the care of our people for their final resting place.

Dara Perreira-Balmores

Senate Committee on Commerce, Consumer Protection and Health In
Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

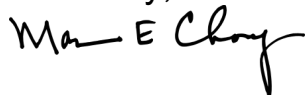
Please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This will benefit all of Hawaii's registered faith-based non-profits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently written within the statute is vague and has not resulted in the churches' ability to provide this much needed service to our members. The proposed language in HB2202 HD1 clarifies that this was meant to include churches and will provide a bright line and safe harbor to provide this service at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,

A handwritten signature in black ink that reads "Marvin E. Choy". The signature is written in a cursive style with a large, stylized 'M' and 'C'.

Marvin Choy

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

Please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This will benefit all of Hawaii's registered faith-based non-profits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently written within the statute is vague and has not resulted in the churches' ability to provide this much needed service to our members. The proposed language in HB2202 HD1 clarifies that this was meant to include churches and will provide a bright line and safe harbor to provide this service at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,
Fr. Richard McNally ss.cc.
Pastor, Saint Ann Catholic Church, Kanoeha

Senate Committee on Commerce, Consumer Protection and Health
In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

I am writing to ask your continued support of HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441. I believe this exemption will allow our churches, temples, and religious gathering places the opportunity to serve a real need for our families here in Hawai'i.

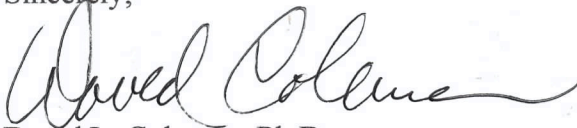
There has always been a tradition of churches providing cemeteries because we believe that our communities are made up of not only the living but all of our passed ancestors, friends and neighbors who worship with us. Most churches don't have space or resources for the formal cemeteries anymore, but the exemption would allow us to respectfully and with attentive love enshrine our loved ones within or near our houses of prayer.

The Bill seems consistent with the original intent of the 1985 law that should have exempted non-profits, particularly churches.

The Bill will provide a great benefit to Hawai'i's families and allow our churches, temples and other religious gathering places exemptions under the law to provide a continuity of care through this life into the afterlife.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,



David L. Coleman, Ph.D.

Professor of Religion, Chaminade University of Honolulu

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

My name is Lisa Sakamoto and I fully support HB 2202 HD1. I am a parishioner of Mary Star of the Sea. I am also the Diocesan Finance Officer for the Diocese of Honolulu.

I write to you today primarily as a caregiver to my mother (age 91) and my father (age 88). I have had several conversations with my parents about their after-life care. They did not plan ahead and do not have any burial plots or niches so we are struggling to determine what would be the best option for our family. If my parish was allowed to build a columbaria on church grounds, my parents would welcome this as part of their after-life care. For my family, it would allow us to be able to attend Mass on Sundays and then visit with them weekly either before or after Mass. When it is time for my husband and I to leave this earth, we would like to be able to be with my parents and my two sons who attend mass at Mary Star of the Sea could continue the tradition of visiting all of us in one place and not only just during the holidays or our birthdays! Most importantly it would provide my family with an affordable option for after-life care.

I too would like to be able to see a proper resting place in our place of worship. The current law as written, does not legally or feasibly allow the church to provide this important service.

Please consider passing House Bill 2202 HD 1 so we can care for our family in their after-life and allow all of our faithful to care for their after-life care in their place of worship.

Submitted by:

Betty Ontai

Retiree and parishioner of Sts. Peter and Paul Church

Comments:

Aloha,

I am writing in strong support of HB2202. The church has played a significant role in my life journey and has brought me to where I am today. To be able to end up where I started would be beautiful, and I know this would be a wonderful gift of choice to many in our community.

Sincerely,

Betty Ontai

Submitted by:

Laurie LaGrange
President, Ontai-LaGrange And Associates
Parishioner, Holy Trinity Church

Comments:

Aloha,

Although I have never submitted testimony before, I felt compelled to write to you to ask that you pass HB2202. To me, one of the biggest benefits of this bill is the choice it provides to our faith-based communities. Many of us have relied on our church throughout our lives to fulfill our spiritual needs, yet for many of us, being able to be buried at our place of worship has never been an option.

Preparing for ones passing is not easy for many families. Questions arise as to where would be the most meaningful place to be buried and what are the costs involved? For parents, it's being buried in a place where their children and grandchildren can visit, and hopefully one day, be buried next to them. For many children, it's about fulfilling the wishes of their parents, regardless of the costs, which can create hardship. Why not offer a choice that meets all of these needs? The passage of HB2202 would do just that.

Mahalo,

Laurie LaGrange

Submitted by:

Frederick Chang
Retiree and parishioner of Sts. Peter and Paul Church

Aloha,

My name is Frederick Chang and I am writing in support of HB2202. At the age of 84, I was born and raised Catholic and my faith has played such an important role in my life and that of my family.

My faith is my life, and I would want nothing more than to have the choice of continuing my spiritual after life in a place that has meant so much to me. For many in our community, ensuring our spiritual needs are met after we have passed is just as important as meeting those needs when we are alive. I also know my children would welcome the opportunity to visit my niche in a meaningful place, with the comfort of knowing I am where I want to be and am being well cared for.

I respectfully encourage you to pass HB2202 for the benefit of our community.

Sincerely,

Frederick Chang

HB-2202-HD-1

Submitted on: 6/22/2020 12:00:18 AM

Testimony for CPH on 6/23/2020 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Urasaki	Individual	Support	No

Comments:

HB-2202-HD-1

Submitted on: 6/22/2020 12:46:11 AM

Testimony for CPH on 6/23/2020 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Lamosao	Individual	Support	No

Comments:

Dear Chair Baker, Vice Chair Chang, and Members of the Senate Committee on Commerce, Consumer Protection, and Health:

My name is Diane Lamosao, and I fully support HB 2202 HD1. I am a parishioner of St. Jude Catholic Church in Makakilo. I am also on the staff of the Diocese of Honolulu.

As a member of a faith-based community, we pray together, we celebrate in time of joy with one another, and we come together when someone is in need.

Knowing that our spiritual needs would continue to be cared for in our after life and that generations of my family can be laid to rest in a place that means much to us, is immeasurable.

The passage of HB 2202 HD1 would be a blessing to my family and many other local families who wish to rest in eternal peace in a place that has brought us much joy, peace, and strength.

Please pass HB 2202 HD1.

Aloha,

Diane Lamosao



ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII
DIOCESE OF HONOLULU
WITNESS TO JESUS

**Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229**

Dear Chair Baker, Vice Chair Chang and Honorable Members,

Please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This will benefit all of Hawaii's registered faith-based non-profits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently written within the statute is vague and has not resulted in the churches' ability to provide this much needed service to our members. The proposed language in HB2202 HD1 clarifies that this was meant to include churches and will provide a bright line and safe harbor to provide this service at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,

Rev. Gregorio Honorio Jr.
Vicar for Clergy
Diocese of Honolulu

MYM Services, LLC

P.O. Box 893940 Mililani, Hawaii 96789

Cellular: 428-3736; Email: mymagaoay@gmail.com

June 23, 2020

To: Senator Rosalyn H. Baker, Chair and
Senator Stanley Chang, Vice Chair and
Members of the Committee on Commerce, Consumer Protection, and Health

From: Michael Y. Magaoay, President MYM Services, LLC



Re: HB 2202 HD1 Relating to Cemeteries

Position: **STRONG SUPPORT**

Good morning Chair Baker, Vice Chair Chang and members of the Committee on Commerce, Consumer Protection, and Health. I am Michael Magaoay, an electrical engineer consultant testifying in strong support of HB 2202 HD1; Relating to Cemeteries.

The desire and commitment are to care for the afterlife needs of our local faith serving communities and their families. We support an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to allow non-profit religious institutions to feasibly construct and properly manage a columbarium within their property or place of worship by providing niches to their members for an affordable fee.

The primary goal for supporting this exemption is to provide an affordable continuum of spiritual care for their parishioners, even in their afterlife. The law as it is presently written, does not allow them to do this in a feasible manner.

The passage of HB 2022 HD1 will provide our faith community and their families throughout Hawaii with a much-needed service at a reasonable cost. It will allow multi-generational families to be laid to rest together and cared for in their chosen place of worship, providing future generations with the comfort of knowing their kupuna,

parents, and other family members are being cared for in one location. The passage of HB 2022 HD1 will also help prevent countless local families from incurring financial and emotional hardship in caring for their loved ones in their afterlife.

Also, change Section 3. "This Act shall take effect on July 1, 2050" to "This Act shall take effect upon its approval".

Thank you for the opportunity to provide written testimony in **STRONG SUPPORT** of HB 2022 HD1.

HB-2202-HD-1

Submitted on: 6/22/2020 8:31:29 AM

Testimony for CPH on 6/23/2020 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jayne Ragasa-Mondoy	Testifying for Roman Catholic Church, State of Hawaii	Support	No

Comments:

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1

Aloha,

Please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

Pastoral care for our families extends beyond our physical presence and it is essential to provide faith-based organizations the ability to honor our loved ones even in death by providing an environment which aligns with their core beliefs.

Thank you for your consideration.

Jayne Ragasa-Mondoy

Director, Religious Education

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection, and Health,

My name is Celeste Oda, and I am writing to you in support of HB2202 HD1. I am a lifelong Catholic, and throughout the years, my family and I have relied on our faith and our parish community to guide and support us through the everyday challenges we all face. Words cannot express the importance our Church has played in our well-being and those of many others.

Knowing that our spiritual needs would continue to be cared for in our after life and that generations of our 'ohana would be buried side by side in a place that means so much to us, is immeasurable.

This is something I have thought about often. Like many people in his generation, my dad was in the military so thankfully, my parents' burial arrangements are already set at Punchbowl. For my generation & future generations, however, the path is less clear. I would love the option of resting in peace in our place of worship.

The passage of HD 2202 HD1 would be a blessing to us and to the hundreds of other local families who wish to rest in eternal peace in a place that has brought them much joy, peace and strength throughout their lives.

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

My name is Corazon Tubana and I am writing in support of HB2202 HD1. I have been a faithful parishioner of St. Joseph Church, Waipahu, for the past 35 years, and would like nothing more than to continue my spiritual journey in my afterlife by having my remains, and those of my family, buried at St. St. Joseph, Waipahu.

Hawaii, as a whole, is a very faith-based community. I truly believe this is what makes us such a giving community that defines “the aloha spirit.” We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need.

I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass HB2202 HD1.

February 14, 2020

TO WHOM IT MAY CONCERN:

My name is Debra Bissen-Melton and I am writing in support of HB2202 HD1. I have been a faithful parishioner and currently, Administrative Assistant of St. Anthony Parish in Wailuku and would like nothing more than to continue my spiritual journey in my afterlife by having my remains buried at St. Anthony. My grandmother, parents and uncles are buried there.

Hawaii, as a whole, is a very faith-based community. I truly believe this is what makes us such a giving community that defines the "aloha spirit." We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need.

I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass HB2202 HD1.

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1

Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

I have been a member of the Diocese of Honolulu since 1983 and have been a member of St. Jude parish in Makakilo since 2005. I am also a registered voter in Hawaii.

I am in strong support of a change to the current law to allow churches to construct and maintain columbarium on church grounds. Bishop Silva has clearly articulated the reasons for a change in the law and I totally agree with him.

Thank you!

Sincerely,

Eileen Peyton
Kapolei, Hawaii 96707

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1

Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

My name is Fr Efren A. Tomas, MS and I am writing in support of HB2202 HD1, I've been a priest assigned in the Diocese of Honolulu for the past 16 years. In my journey with our parishioners particularly on their spiritual life, no better way to continue their faith journey than having the remains of their loved ones and that of the next generations of their "ohana" be buried side by side in a place that means so much to them, which is the Church.

Hawaii, as a whole is a very faith-based community. I truly believe this is what makes such a giving community that defines "the aloha spirit." We gather together to celebrate the Eucharist every day, thanking the Lord for the many blessings we received and at the same time remembering our loved ones who have gone before us. I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass HB2202 HD1.

Fr Efren A. Tomas, MS

Pastor of St Joseph Church

Waipahu, HI 96797

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

My name is Fr. Khanh S. Hoang and I am the current pastor of St. Jude Catholic Church in Kapolei, Hawaii. As an active priest and pastor of a parish here in the Diocese of Honolulu, I strongly urge for your support for the House Bill 2202 HD1. As Christians, we have a commitment to care for our people and their families, even after death, because as human beings we continue to mourn the loss of our loved ones and continue to remember them especially on their death anniversaries and special occasions. We all need a place to mourn and many people find their way to our church to do just that. I am requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to allow religious institutions to feasibly construct and properly manage a columbarium within their property or place of worship, by providing niches to its members for an affordable fee.

This House Bill 2202 HD1 will help us to continue to address the loss and mourning of the members of our community and beyond. Thank you for your consideration of this bill.

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1

Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

Thank you for your commitment to public service and for the opportunity to provide you testimony today. My name is Fr. Robert Stark. I am the Director of the Office for Social Ministry of the Catholic Diocese of Honolulu and I reside at Mary Star of the Sea Parish. My testimony is urging you to please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

We are all so blessed to live in Hawaii a deeply spiritual community which helps make us such a loving community that embodies "the aloha spirit." We pray together, we celebrate in times of joy with one another, and we come together as one 'ohana regardless of our faith or background when someone is in need. There are many persons here in Hawaii who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship.

The passage of HB2202 HD1 will provide Hawaii's faith community and families with a much needed service. It will allow multigenerational families to be laid to rest together and cared for in their chosen place of worship, while helping prevent local families from incurring financial and emotional hardship when grieving and then caring for their loved ones in their afterlife. The passage of HD 2202 HD1 would be a blessing to us all who wish to rest in eternal peace in a place that has brought them much joy, peace and strength throughout their lives. This will benefit all of Hawaii's registered faith-based non-profits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands.

It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently written within the statute is vague and has not resulted in the churches' ability to provide this much needed service to our members. The proposed language in HB2202 HD1 clarifies that this was meant to include churches and will provide a bright line and safe harbor to provide this service at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's 'ohana.

Sincerely,

Fr. Robert Stark

My name is James Severson and I and my wife Patricia are writing in support of HB2202 HD1. We have been a faithful parishioner of St. John Vianney Catholic Church for the past 54 years, and we would like nothing more than to continue our spiritual journey in our afterlife by having our remains buried at St. John Vianney. Our congregation is aging and we are now experiencing many more deaths than in the past.

Hawaii, as a whole, is a very faith-based community. We truly believe this is what makes us such a giving community that defines “the aloha spirit.” We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need.

We know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass HB2202 HD1

Much Aloha,

James Severson

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

Please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

As a parishioner of Holy Trinity Catholic Church on Oahu for nearly 40 years and a baptized Catholic since childhood, I know the importance of a community in the living and continuing through death into eternity. As the Director of Real Estate for the Roman Catholic Church in the State of Hawaii, I have had numerous conversations with those interested in our parish graveyards. Lifelong Catholics have a strong attachment to their parishes, especially in the rural areas throughout the state. Many who leave the state for a life elsewhere return to be buried here in Hawaii at the hometown of their roots. Having lived in other states, they are under the impression that either the parishes or the diocese would be able to offer an afterlife location for their loved one or for themselves.

I care for my mother, soon to be 99 years old. She and her friends all have hopes for their afterlife care, many who prefer to be placed with their community in life, their parish. Of course, at a reasonable rate that parishes can assist with.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Aloha,

Marlene De Costa

MARVIN H. UEHARA

94-1022 Leomana Place ♦ Waipahu, HI 96797 ♦ (808) 676-7719

June 21, 2020

Dear Chair Baker, Vice Chair Chang and Members of the Commerce, Consumer Protection, and Health Committee:

Aloha. My name is Marvin Uehara and I am writing in support of HB2202 HD1. My wife has been a Catholic since infancy, but it was only 16 years ago that I converted to Catholicism. We have attended mass every week for many years and have volunteered at the church extensively.

A few years ago, we were informed that our church, Resurrection of the Lord in Waipio, was considering installing a columbarium. Although we both have burial plots, we began to consider the possibility of being buried at our house of worship where the environment is much more spiritual, beautiful and peaceful. Subsequently, we learned that there were legal obstacles to building a columbarium and that passage of this bill would make it possible to get our columbarium. I'm certain many others would love to have the opportunity to be buried, or have their loved ones be buried where they worship. So please support HB2202 HD1.

On a related matter, I have seen reports on the desire of Hawaiian Memorial Park to expand their cemetery and the opposition by the neighbors. Given that the oldest baby boomers are in their early seventies, the pressure to build cemeteries or to expand existing ones in Hawaii will increase. Allowance of new sources of burial locations is a positive development.

Sincerely,

Marvin H. Uehara

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1

Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

On behalf of the Roman Catholic Church of Hawaii, our 250,000 members, and the multi-faith, multi-community coalition to promote affordable afterlife care in which we are participating, we strongly urge your support for HB2202.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. We are requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to allow religious institutions to feasibly construct and properly manage a columbarium within their property or place of worship, by providing niches to its members for an affordable fee. Hawaii is one of few states that does not exempt religious institutions from charging a fee to help manage the costs of having a columbarium on their property. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This important benefit extends far beyond Catholic communities and would benefit all of Hawaii's registered faith-based non-profits such as Hawaii's Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently within the statute is vague and has not resulted in churches' ability to provide this service to our members. The proposed language provides a bright line and safe harbor on exempted activities at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for taking the time to read this testimony and for your consideration of support for HB2202.

Me ka pono,

Melinda LaCaille

Parishioners of Sacred Heart Pahoa

For the Roman Catholic Church of Hawaii

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1

Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

My name is Patrick Downes, a parishioner of St. Elizabeth Catholic Church in Aiea, and I am writing to you in support of HB2202 HD1.

Not too long ago a cemetery was considered a natural extension of a neighborhood church, a continuation in death of the love and care given in life. Today many churches continue to maintain graveyards which, because of changing times and a lack of space, have not seen a burial in years.

Times are changing again as our elderly population grows and funerals become more financially burdensome. The parish columbarium is a welcome answer to a host of end of life worries. It would also be a longed-for return to a cherished time when a person was laid to rest in a familiar place among family, fellow parishioners and neighborhood friends.

Please pass HB2202. Mahalo.

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

Please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This will benefit all of Hawaii's registered faith-based non-profits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently written within the statute is vague and has not resulted in the churches' ability to provide this much needed service to our members. The proposed language in HB2202 HD1 clarifies that this was meant to include churches and will provide a bright line and safe harbor to provide this service at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,



Paul I. deVille

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

My name is Paulette Adams and I am writing to you in support of HB2202 HD1. I am a lifelong and multi-generational Catholic, and throughout the years, my family and I have relied on our faith and our parish community to guide and support us through the everyday challenges we all face. Words cannot express the importance our Church has played in our well-being and those of many others.

Knowing that our spiritual needs would continue to be cared for in our after life and that generations of our 'ohana would be buried side by side in a place that means so much to us, is immeasurable.

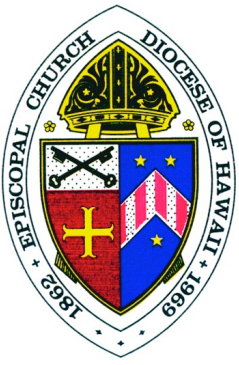
This is something I have thought about often, especially as I get older. I can say, unequivocally that I would like nothing more than to rest in peace in our place of worship.

The passage of HD 2202 HD1 would be a blessing to me and to the hundreds of other local families who wish to rest in eternal peace in a place that has brought them much joy, peace and strength throughout their lives.

I urge you to support the passage of HB2202 HD1

Mahalo,

Paulette Adams
Retired and parishioner of St Michael the Archangel, Kona, Hawaii



The Episcopal Church in Hawai'i

Peter C. Pereira
Treasurer/CFO

June 20, 2020

Aloha Chair Baker, Vice Chair Chang, and members of the Committee on Commerce, Consumer Protection and Health

My name is Peter Pereira. I am writing in support of HB 2202 HD1. I am the Treasurer/CFO of The Episcopal Church in Hawaii consisting of 27 worshiping sites on Oahu, Maui, Kauai and the Big Island. I would like nothing more than to continue my spiritual journey in my afterlife by having my remains, and those of my family, buried at my parish at St John Apostle & Evangelist. I also know many of my Episcopal Church members would like to be buried at their church. It makes it easy for family and friends to visit the dead when they attend church services.

Hawaii is a very faith-based community. This faith is what I truly believe this is what makes us such a giving community that defines "the aloha spirit." We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need. We also pay respect to our dead at various times during the year.

I know there are many other churches and their members who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. I too would like to be buried at my church. Please pass HB 2202 HD1.

Sincerely

Peter Pereira
Treasurer/CFO

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1

Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

On behalf of the Roman Catholic Church of Hawaii, our 250,000 members, and the multi-faith, multi-community coalition to promote affordable afterlife care in which we are participating, we strongly urge your support for HB2202.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. We are requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to allow religious institutions to feasibly construct and properly manage a columbarium within their property or place of worship, by providing niches to its members for an affordable fee. Hawaii is one of few states that does not exempt religious institutions from charging a fee to help manage the costs of having a columbarium on their property. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This important benefit extends far beyond Catholic communities and would benefit all of Hawaii's registered faith-based non-profits such as Hawaii's Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently within the statute is vague and has not resulted in churches' ability to provide this service to our members. The proposed language provides a bright line and safe harbor on exempted activities at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for taking the time to read this testimony and for your consideration of support for HB2202.

Me ka pono,

Priscila Timbreza Molina

Parishioner of Sacred Heart Pahoia

For the Roman Catholic Church of Hawaii

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1

Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

On behalf of the Roman Catholic Church of Hawaii, our 250,000 members, and the multi-faith, multi-community coalition to promote affordable afterlife care in which we are participating, we strongly urge your support for HB2202.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. We are requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to allow religious institutions to feasibly construct and properly manage a columbarium within their property or place of worship, by providing niches to its members for an affordable fee. Hawaii is one of few states that does not exempt religious institutions from charging a fee to help manage the costs of having a columbarium on their property. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This important benefit extends far beyond Catholic communities and would benefit all of Hawaii's registered faith-based non-profits such as Hawaii's Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently within the statute is vague and has not resulted in churches' ability to provide this service to our members. The proposed language provides a bright line and safe harbor on exempted activities at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for taking the time to read this testimony and for your consideration of support for HB2202.

Me ka pono,

Remedios Castro Gamiao

For the Roman Catholic Church of Hawaii

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1

Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

Grace and peace!

My name is Rev. Anthony N. Pangan, SSS and I am writing in support of HB2202 HD1. As priest who belongs to a religious congregation, our mission is not only diocesan, but national and international. Since I got ordained in 2020, I have been assigned to different dioceses / archdioceses in the Philippines, Canada and the United States. I have seen and witnessed the advantage of columbarium within the church grounds.

A Columbarium doesn't only serve as a building or portion of a building where niches are placed to house cremated remains to honor and remember our deceased family and friends. More to that, it supports and nurtures the Corporal Works of Mercy through appropriate inurnment respect, reverence, dignity, and hope of the resurrection upheld by the Church. It provides a Catholic alternative in the city and allows more Catholics the opportunity to inurn their loved ones in a Catholic columbarium, within a sacred church and within close proximity to their home.

The Columbarium brings parishioners, family and friends closer to the church and provide member affinity, since members stay at their church home in death, surrounded by loved ones, prayed for, and tended by the community for generations to come.

In my experience, after a funeral rite or memorial service, family and friends were able to continue to the Columbarium located within the church for the inurnment of their loved one, concluding the service in a way that is quite holy and powerful. A Mass is also said daily for all those resting there.

Moreover, it is also good to point out that church property has traditionally been the final resting place of the bodies of deceased members of the Christian community. Burial within the church itself or in the adjacent churchyard was once common practice. Back in Canada, we still have a lot of these Catholic cemeteries in existence which are close to the Church. However, the amount of land necessary for a burial ground is no longer available to most churches (especially in the cities) and a myriad of laws and regulations make it extremely difficult to establish a burial site. In recent years, cremation with inurnment of the cremains, rather than burial, has become more common. In addition, many people today are turning to cremation as an economical, dignified way to address the rising costs of funerals. In this way, the remains of the deceased can remain at the church that played such an important part in their lives. Specifically here in Hawaii where, *"It is more expensive to die than to live!"* according to an elderly friend, one **benefit to our congregation would be that a niche in a columbarium is modestly priced, aesthetically pleasing, and ecologically sound.** The ambiance of the columbarium creates a comfortable meeting place for

families and friends to gather in love and remembrance, a consoling link between life and death.

Hoping this would merit consideration in your deliberation on passing HD 2022 HD1!

God bless you all!

REV. ANTHONY PANGAN, SSS

Parochial Vicar

Cathedral Basilica of Our Lady of Peace

1184 Bishop St.

Honolulu, HI 96813

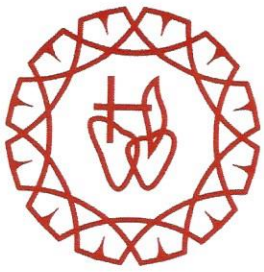
Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

I write to you today in support of HB2202 which will support the exemption for churches of all faiths to organize, control, and operate cemeteries without licensing, bonding and fee requirements. This would give us the opportunity to support and care for the families whose loved one has died and assist them with the funeral arrangements in a reasonable way without causing them any further emotional and financial difficulties at their time of loss. At this time in our history, long-term care is a real issue for many families and being able to help them with the care of their loved one at the time of death in a reasonable way would make a big difference in their lives. We are hoping that the passage of this bill will be of great assistance to our parishioners whom we serve and be able to assist them spiritually and practically during this time of need. Knowing the cost of land here on Maui, hopefully makes this a good thing for the people of Maui where we will be able to use Church land and facilities to care for those who have died. Mahalo for your support of HB2202 and all it will do for our families and their loved ones.

Rev. Msgr. Terrence A. M. Watanabe

Pastor
St. Theresa Church
25 West Lipoa Street
Kihei, Maui, Hawaii 96753-8128
Office Phone: (808) 879-4844
FAX: (808) 879-0045
Mobile: (808) 292-3702



Congregation of the Sacred Hearts - United States Province

*Post Office Box 111, 77 Adams Street
Fairhaven, Massachusetts 02719*

*Post Office Box 1365, 45-713 Pookela Street
Kaneohe, Hawaii 96744*

Aloha,

I am Reverend Herman Gomes. I currently serve as the U.S. Provincial Superior of the Congregation of the Sacred Hearts of Jesus and Mary. This is the religious order of Hawaii's first saint, Saint Damien De Veuster. I am here to testify in support of House Bill 2202.

My support for this bill is based on our parishes' desire to meet the spiritual needs of our parishioners and faith-based communities. The passage of this bill allows religious institutions, including 66 Catholic parishes throughout Hawaii, to feasibly construct and manage a columbarium at the site of their place of worship. This would be done by providing niches to parishioners or members for a reasonable fee.

For years, our Catholic community has asked us to provide this for them and their families. In 2016, the Diocese of Honolulu commissioned a third-party study and survey to confirm this need. It was also done to determine the feasibility of providing a columbarium program for Hawaii's Catholics. The results showed an overwhelming confirmation of what we have heard for years. Hawaii's Catholics want the option to be buried, along with their families, at their place of worship. As the law is currently written, we have not been able to do this, lawfully or feasibly.

If House Bill 2202 is passed, we envision creating a parish-based, and carefully managed columbarium program. Because they would be located on church property, perpetual care for the columbarium would be assured. Multi-generations of local families would be laid to rest together. Family members could visit and honor their 'ohana at their chosen place of worship.

All of this would be done without the financial and emotional hardship associated with caring for loved ones after they have passed.

Catholics in Hawaii are the largest Christian denomination in the State, with an estimated one of four residents baptized Catholic. There are more than 200,000 Catholics throughout Hawaii. The passage of House Bill 2202 would have a positive impact on thousands of Hawaii's residents. It would extend to other faith communities such as our Episcopalians, Buddhists, Lutherans, Baptists and Methodists.

I respectfully encourage you to support the passage of this bill and the valuable benefits it will provide to our local families.

Mahalo.

Rev. Herman Gomes, S.S.C.

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

My name is Fr. Richard McNally and I am writing in support of HB2202 HD1. I have been the pastor of St. Ann's parish, Kaneohe for the last two years. We are hoping to construct a columbarium so that parishioners can bury their loved ones remains not only close to home but near the Church where they and their loved ones have worshipped, some for many years and multiple generations.

Hawaii, as a whole, is a very faith-based community. I truly believe this is what makes us such a giving community that defines "the aloha spirit." We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need.

I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass HB2202 HD1.

Richard P. McNally

Catholic Priest and Pastor of St. Ann Parish, Kaneohe

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

On behalf of the Roman Catholic Church of Hawaii, our 250,000 members, and the multi-faith, multi-community coalition to promote affordable afterlife care in which we are participating, we strongly urge your support for HB2202 HD1.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. We are requesting an amendment to Hawaii's current law regarding Cemetery and Funeral Trusts to allow religious institutions to feasibly construct and properly manage a columbarium within their property or place of worship, by providing niches to its members for an affordable fee. Hawaii is one of few states that does not exempt religious institutions from charging a fee to help manage the costs of having a columbarium on their property. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one). This important benefit extends far beyond Catholic communities and would benefit all of Hawaii's registered faith-based non-profits such as Hawaii's Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently within the statute is vague and has not resulted in churches' ability to provide this service to our members. The proposed language provides a bright line and safe harbor on exempted activities at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for taking the time to read this testimony and for your consideration of support for HB2202 HD1.

Me ka pono,
Sharen Chaves
East Hawaii Vicariate – Representative Diocesan Pastoral Commission

For the Roman Catholic Church of Hawaii

Testimony from Sister Wiliam Marie Eleniki
Regional Minister for the Sisters of St Francis of the Neumann Communities

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

I am Sister William Marie Eleniki. I currently serve as the Regional Minister for the Sisters of St. Francis of the Newmann Communities. This is the religious order of Hawaii's second saint, Saint Marianne Cope.

On behalf of the Sisters of St. Francis of the Newmann Communities, mahalo for your support of HB2202, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This will benefit all of Hawaii's registered faith-based non-profits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently written within the statute is vague and has not resulted in the churches' ability to provide this much needed service to our members. The proposed language in HB2202 HD1 clarifies that this was meant to include churches and will provide a bright line and safe harbor to provide this service at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,

Sister William Marie Eleniki

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

My name is Stephen Kula and I am writing in support of HB2202 HD1. Twelve years ago, my father passed away, and two years ago my Mom joined him, as a family, we struggled with the decision as to where to bury him and the hardships associated with that. He was a strong Catholic who was very active at Holy Trinity for over 50 years. It was not only a place of worship, but a place of life for him and our family. If churches were lawfully allowed to have a columbarium program when my father passed, he, as well as his family, would have welcomed that as his burial place.

Deacon Stephen A. Kula, Ph.D., NHA
Honolulu, Hawaii 96825

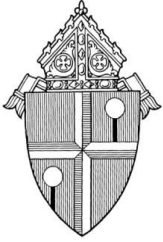
Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1

Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

My name is Walter T.Y. Lau and I am writing to you in support of HB2202 HD1. I am a fifth generation Catholic, and throughout the years, my family and I have relied on our faith and our parish community to guide and support us through the everyday challenges we all face. Words cannot express the importance our Church has played in our well-being and those of many others.

Knowing that our spiritual needs would continue to be cared for in our after life and that generations of our 'ohana would be buried side by side in a place that means so much to us, is immeasurable.



ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII
OFFICE OF THE CHANCELLOR & DIOCESAN ARCHIVES

6301 PALI HIGHWAY, KANEOHE, HAWAII 96744-5224 | (808) 203-6715 | FAX: (808) 263-8518

Senate Committee on Commerce Consumer Protection and Health
In Support of HB2202 HD1

Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

As locals, no other concept is more ingrained in our hearts than the concept of “Ohana”. For us locals, “ohana” is the center of our universe. We thrive in loving our family, which includes our friends. We also thrive *because* of the love our family and friends have for us. We feel it at every family gathering, at birthdays, potlucks, baby showers, and retirement parties. The hugs, kisses, handshakes, ‘supps, and howzits are part of the language unique to our ohana philosophy. Nothing gives us more joy than to be with, and to love our ohana. For us, ohana is life.

We also experience this profound joy when a loved one dies. Where, and how we celebrate a loved one’s death reflects that love. Whether one is a Christian, Jew, Muslim or Buddhist, funeral services are a grand culmination, a rousing finale and the symbolic final hug, kiss and handshake with our loved one. But for Hawaii’s faithful (estimates place 73% of Hawaii’s population as believers), to be buried at their place of worship is a reality not yet realized.

The passing of HB2202 HD1 manifests what “ohana” means. It will be a recognition of this unique aspect of local culture, and the wholeness of our love for family and friends - ***in life and in death***. By passing this bill, Hawaii’s faith community and their extended ohana will receive much needed service and care. Grieving families will receive a seamless and natural process of spiritual care within their own worship community, and be able to experience a continued and infinite joy, knowing that beloved ohana are laid to rest in their own place of worship.

Thank you for the opportunity to share my testimony.

Deacon Keith Cabiles

Chancellor

Roman Catholic Diocese of Honolulu

6301 Pali Hwy.

Kaneohe, Hawaii 96744

(808) 203-6715 office

(808) 263-8518 fax

kcabiles@rcchawaii.org



ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII
DIOCESE OF HONOLULU
Witness to Jesus



Online Submittal: June 22, 2020

HEARING: June 23, 2020

TO: Senate Committee on Commerce, Consumer Protection & Health
Sen. Rosalyn Baker, Chair
Sen. Stanley Chang, Vice-Chair

FROM: Eva Andrade, Executive Director – Hawaii Catholic Conference

POSITION: Support for HB 2202 HD1 Relating to Cemeteries

Honorable members of the Senate Committee on Commerce, Consumer Protection & Health, I am Eva Andrade, representing the Roman Catholic Church in the State of Hawaii in my capacity as Executive Director for the Hawaii Catholic Conference, which under the leadership of Bishop Larry Silva, represents Roman Catholics in the State of Hawaii.

Mahalo for the opportunity to submit testimony in support of HB 2202 HD1 which clarifies that churches granted an exemption from the state laws governing cemeteries and funeral trusts are exempt from all requirements. The proposed language in this bill justifies the inclusion of churches and will provide a safe harbor for our local citizens seeking relief from the burdensome costs of after life care.

It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. Unfortunately, the language in the current statute is vague and has not resulted in the churches' ability to provide this much needed service to our members.

As a faith community that has long served the people of Hawai'i, we are committed to providing a place of comfort to the family by allowing them access to a more affordable economic inurnment as compared to other methods. Passing this bill will benefit all of Hawaii's registered faith-based nonprofits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands.

Mahalo for the opportunity to submit this testimony.

HAWAII CATHOLIC CONFERENCE

(The public policy voice for the Roman Catholic Church in the State of Hawaii)

6301 Pali Highway, Kaneohe, Hawaii 96744-5224 Phone: (808) 203.6704 | www.catholicahawaii.org hcc@rcchawaii.org

My name is Alicia Nakamoto and I am writing in support of HB2202 HD1.

Hawaii, as a whole, is a very faith-based community. I truly believe this is what makes us such a giving community that defines "the aloha spirit." We pray together, we celebrate in times of joy with one another, and we come together regardless of our faith or background when someone is in need.

I know there are many who would welcome the opportunity to continue their celebration of life and faithfulness by being buried in their place of worship. Please pass HB2202 HD1.

Chair Baker, Vice Chair Chang and members of the Senate Committee on Commerce, Consumer Protection and Health.

My name is Lesley Noguchi and I am writing to you in support of HB 2202 HD1. My family and I are active parishioners of St. Ann's Church in Kaneohe. This parish community is where we find our strength and joy for our everyday lives. In our Catholic tradition burying the dead is a Corporal Work of Mercy (tending to the needs of others as an act of charity) and this bill will make it possible for families to have the opportunity to bury their deceased loved ones in an affordable way. Also, due to the close proximity of the columbarium's to the parish church, families could visit those who have gone before and pray for them. This is a Spiritual Work of Mercy (acts of mercy for the spiritual needs of another) for the good of the soul of the deceased and also for the faith nourishment of the living family members. This bill would help nurture our faith communities as it is our belief that both the living and the dead are connected as the Body of Christ.

The passage of HB2202HD1 would be a blessing to us and to the hundreds of other local families who wish to rest in eternal peace in a place that has brought them much joy, peace and strength throughout their lives.

I respectfully encourage you to support the passage of this bill.



ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII
DIOCESE OF HONOLULU
WITNESS TO JESUS

Testimony on behalf of the Roman Catholic Church in the State of Hawaii
Very Reverend Msgr. Gary Secor, Vicar General of the Diocese of Honolulu
Prepared for the Senate Committee on Commerce, Consumer Protection and Health
In Support of HB 2202 HD1
Tuesday, June 23 2020, at 10:15a.m.

Dear Chair Baker, Vice Chair Chang and Honorable Members,

As the Vicar General of the Diocese of Honolulu, I fully support HB 2202 HD1. As Moderator of the Curia I am responsible for the day to day operations of our Diocese. I am a graduate of Maryknoll High School and have been a priest in Hawaii for over 40 years serving in various parishes throughout the State of Hawaii, most recently as the pastor of the Cathedral Basilica of Our Lady of Peace in Downtown, Honolulu. I too would like to be able to provide for our faithful a proper resting place in their place of worship at our 66 parishes throughout Hawaii, especially on the neighbor islands.

Our Diocese surveyed our parishioners in 2016 and we had an overwhelming support and need for a columbaria. All would like to be able to be laid to rest in their house of worship. More importantly, family members could visit and honor their ohana after attending services and pray for them without having to leave the church and visit more frequently. And multi-generations of local families would be able to be laid to rest together.

The current law as written, does not legally or feasibly allow the church to provide this important service.

Please consider passing House Bill 2202 HD1 so we can care for our faithful in their after-life. I believe this would also favorably impact other faith communities in our State.

On behalf of the Roman Catholic Church in the State of Hawaii, I respectfully encourage you to support the passage of this bill.

With gratitude,

Very Reverend Monsignor Gary Secor
Vicar General

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

Please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This will benefit all of Hawaii's registered faith-based non-profits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently written within the statute is vague and has not resulted in the churches' ability to provide this much needed service to our members. The proposed language in HB2202 HD1 clarifies that this was meant to include churches and will provide a bright line and safe harbor to provide this service at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,
Bernice Walker
Sacred Heart Paho
Business Manager



ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII
DIOCESE OF HONOLULU
WITNESS TO JESUS

June 22, 2020

For:

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

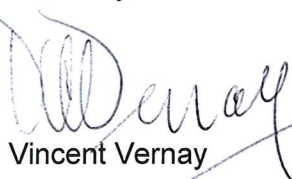
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Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,



Vincent Vernay

Senate Committee on Commerce, Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

LATE

Dear Chair Baker, Vice Chair Chang and Honorable Members,

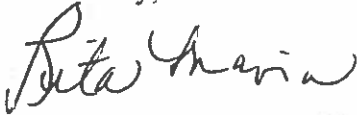
Please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

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Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,



Rita Maria, Bookkeeper/Secretary
Sacred Heart Church – Hawi

Senate Committee on Commerce,
Consumer Protection and Health In Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m. In Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

Aloha, I ask for support for HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under § 441.

This will benefit all of Hawaii's registered faith-based non-profits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently written within the statute is vague and has not resulted in the churches' ability to provide this much needed service to our members. The proposed language in HB2202 HD1 clarifies that this was meant to include churches and will provide a bright line and safe harbor to provide this service at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Thank you for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,



Mark Clark
Parishioner
St. John Vianney Church, Kailua

HB2202 HD1 TESTIMONY

LATE

Aloha Chair Baker,

As former Chairman of the Board of Trustees of Saint Louis School (“SLS”), and on behalf of our SLS Ohana and more than 270,000 local members of various churches and religious organizations, I am writing to ask for your continued support of HB2202 HD1 “as-is” at today’s 10:15 am hearing.

HB2202 was based on the language supplied by DCCA and some key points of support are outlined as follows:

Passage of Bill HB2202 -

- 1) Has no financial impact on the State's budget.
- 2) Will create jobs for churches engaged in this activity.
- 3) Will allow for “affordable” care for the afterlife needs of our loved ones that is a heightened concern due to the COVID recession.
- 4) Has been supported in current form by both of the Chairs in the House and Senate.

The very *intent* of non-profit religious organizations is to provide spiritual care *in-perpetuity* for their members. The Marianist of Hawaii were established in Hawaii in 1883. Long before for-profit cemeteries owned by mainland companies and serving a very special demographic in our community.

With the tragic passing of our friend, Senator Harimoto, has given us added motivation to push for this important measure. As the Author of the Senate companion - SB3130, Senator Harimoto whipped 13 co-sponsors of this measure and was tremendously supportive when HB2202 crossed over to your committee. It was one of only a few priority measures Sen. Harimoto was advocating for this session. Our entire community sends our aloha to his 'ohana, and we hope that our support for his bill is seen as an expression of our mahalo for the legacy of community-kokua that he leaves behind. Would it be appropriate to rename this bill in Senator Harimoto's honor?

Mahalo for your time and consideration in supporting HB2202 HD1 in its existing form.

Malama pono,

T. Michael Hogan, Jr.
Former Chairman of the Board of Trustees
Saint Louis School

IVAN M. LUI-KWAN

Pacific Guardian Center, Makai Tower
733 Bishop Street, Suite 1900
Honolulu, Hawaii 96813

June 22, 2020

LATE

Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair
Members of the Committee on Commerce,
Consumer Protection and Health
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Senate Committee on Commerce, Consumer Protection
and Health in Support of HB2202 HD1
Tuesday, June 23, 2020, at 10:15 a.m.,
State Capitol, Conference Room 229

Dear Chair Baker, Vice Chair Chang and Honorable Members,

Please support HB2202 HD1, a bill that supports Hawaii's multi-faith community by providing an exemption for churches and entities organized, controlled, and operated by them from licensing, bonding and fee requirements under Hawaii Revised Statutes § 441.

The exemption outlined in this measure is based on our desire and commitment to care for the afterlife needs of the local communities we serve and their families. The primary goal is to provide a continuum of spiritual care for our parishioners, even in their afterlife, that does not run our local families broke at what can be the most emotionally and financially difficult time for them (the passing of a loved one).

This will benefit all of Hawaii's registered faith-based non-profits such as the Roman Catholic, Buddhist, Episcopalian, Baptist, Lutheran, Methodist, Congregationalist Evangelical, Hindu, and other faith serving communities here in the islands. It is worth noting that the law, when amended in 1985, was intended to provide an exemption from the cemetery authority rules for nonprofits by providing an exemption for any organization not making a 'profit' off of the subject activity. That language as currently written within the statute is vague and has not resulted in the churches' ability to provide this much needed service to our members. The proposed language in HB2202 HD1 clarifies that this was meant to include churches and will provide a bright line

Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair
Members of the Committee on Commerce,
Consumer Protection and Health

June 22, 2020

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and safe harbor to provide this service at a much needed time for our local communities seeking relief from the burdensome costs of after life care for their 'ohana.

Mahalo for your support of HB2202 HD1 and the many benefits it will provide to Hawaii's families.

Sincerely,

A handwritten signature in black ink, appearing to read "Ivan M. Lui-Kwan". The signature is fluid and cursive, with a long horizontal stroke at the beginning and a distinct "K" at the end.

Ivan M. Lui-Kwan

HB-2202-HD-1

Submitted on: 6/23/2020 2:59:11 PM

Testimony for CPH on 6/23/2020 10:15:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Rayne Kauhi	Individual	Support	No

Comments: